

country in remembering the seven brave crewmembers of the Space Shuttle *Columbia* who tragically lost their lives last Saturday morning, February 1, 2003.

Rick Husband, William McCool, Michael Anderson, Kalpana Chawla, David M. Brown, Laurel Blair Salton Clark, and Ilan Ramon gave their lives trying to expand our knowledge of science, advance our technology, and broaden the limits of our universe.

These seven courageous astronauts sacrificed their lives for our future. While this is a time of great sadness, it is also a time to take great pride in their achievements, their dedication, and their service to the Nation and to the world.

They were seven different people with various skills, many talents, and different backgrounds, and they all came to work together as a team. That is what most people believe America should be like: working together as a team to accomplish something greater than themselves. They could have had very comfortable jobs somewhere else, but they chose to risk their lives for the country. They have not only found a place in our hearts, but they have found a place in our imagination also because, for me, they represent what this country is all about. They came together. They came from modest circumstances. They used the power of education to prepare themselves not just for personal success but to contribute to the Nation and to contribute to the world. They exemplify the best of this Nation.

They understood that great accomplishment and great achievement bring great risk. They knew this, yet they valiantly accepted, in the name of science and exploration, all the risks. It is important we pay tribute to them and acknowledge the risks our astronauts take with every mission.

We tend to take these risks for granted and forget the extreme conditions and pressures these brave men and women face and will face in the future. In honor of the crew of *Columbia*, we must not take these risks for granted any longer.

In their honor, we must pledge to continue the peaceful exploration of space. We have forged international partnerships. We have been able to share the pride of an international space station. We must continue to fund NASA, continue our space programs, and continue in the tradition of American and human accomplishment.

Later this year, we will celebrate the 100th anniversary of the Wright brothers' monumental 59-second flight on December 17, 1903. That flight forever changed the world. Fifty-four years later, we were able to put a man in space.

The process of innovation and exploration must go on, and America must play its traditional significant, historic role.

We have in our process from the sands of Kitty Hawk to the stretches of

the Moon experienced powerful joy and monumental success, and yet we have faced tremendous setbacks and extreme sorrow. But we have persevered, and we have continued our missions into the heavens.

From our colleague John Glenn and Allan Shepherd to Neil Armstrong to an international space station, and from the crew of *Challenger* and the crew of *Columbia*, we must continue to challenge ourselves as they challenged themselves. We must continue to better ourselves as a nation and continue to grow.

President Kennedy challenged America to send a man to the Moon. We have met that challenge and have gone far beyond.

As we continue with future missions, we must never forget these seven brave souls. They gave the ultimate sacrifice for a noble cause. My deepest condolences go out to their families and the Nation that mourns them and the country of Israel that mourns its lost astronaut. This is a time for mourning, but we must shortly move on and continue to run the great risks they took, in their memory, so we can build upon their sacrifice, so we continue to reach for the heavens and beyond.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Senate stand in recess for the policy lunches and that it reconvene at 2:15 p.m.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mrs. DOLE).

#### COMMEMORATING THE "COLUMBIA" ASTRONAUTS—Continued

The PRESIDING OFFICER. There are now 5 minutes evenly divided.

Mrs. HUTCHISON. I yield 1½ minutes to Senator BENNETT from Utah.

Mr. BENNETT. Madam President, all that needs to be said has been said by the President and others about the shuttle disaster. I simply note the people of Utah are particularly distressed, not only with the human tragedy that affects all Americans but because the space program is very close to the hearts of all Utahans.

My predecessor in the Senate, Jake Garn, was an astronaut on the shuttle. The Jake Garn Space Center at Utah State University is named after the Senator. The schoolchildren of Utah assembled project "Star Shine," which was a school science project that was

carried into space by the shuttle. So all Utahans join in expressing our condolences to the families, and our determination that space exploration by this country will nonetheless still go forward.

Mrs. HUTCHISON. Madam President, Senator NELSON and I attended, along with many other Senators, the beautiful service yesterday honoring these brave astronauts that we now know so much more about. Today the Senate is commemorating these *Columbia* astronauts and reconfirming the importance to our country that space research has been and will continue to be.

In the resolution we talk about U.S. Air Force COL Rick Husband, the mission commander, who was from Texas; U.S. Navy commander, William Willie McCool, the pilot; U.S. Air Force LTC Michael Anderson, payload commander, mission specialist; U.S. Navy CAPT David Brown, mission specialist; U.S. Navy commander Laurel Blair Salton Clark, mission specialist; Dr. Kalpana Chawla, mission specialist; and Israeli Air Force COL Ilan Ramon, payload specialist. They were killed in the line of duty. The Senate is honoring them today.

Debris has been recovered in 38 counties of my State, spreading over a surface area of 28,000 square miles, an area the size of West Virginia. The Space Shuttle *Columbia* broke up 40 miles above the ground.

It is my honor to cosponsor this resolution with Senator NELSON, the only Member of the Senate who has actually been on a manned space flight, and Senator Glenn, of course, before him. He has been a great resource on the committee.

Before turning it over to Senator NELSON of Florida, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, how much time remains in the debate?

The PRESIDING OFFICER. The Senator has 2½ minutes.

Mr. NELSON of Florida. Madam President, it is with sadness that I rise to join my colleague from Texas to support this resolution. So many of our colleagues have joined us. We thank you very much for joining us yesterday as we went to the space center in Houston.

This is a resolution that not only talks about the past, and about bravery, but it talks about the future. It talks not only about honoring the legacy and the lives and the sacrifice of these brave souls but also about fulfilling America's destiny as a nation of explorers and adventurers.

This resolution is about the vision that ignites the heart of almost every American, to think that we are pushing back the frontier. As we developed

this country, we used to push westward. That was our frontier. Now we push upward and explore the heavens.

I urge our colleagues to join Senator HUTCHISON and me in supporting this resolution.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FRIST. I announce that the Senator from Kentucky (Mr. MCCONNELL) is necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that if present and voting the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Georgia (Mr. MILLER) would each vote Aye.

The PRESIDING OFFICER. Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 30 Leg.]

#### YEAS—95

Akaka	DeWine	Lincoln
Alexander	Dodd	Lott
Allard	Dole	Lugar
Allen	Domenici	McCain
Baucus	Dorgan	Mikulski
Bayh	Durbin	Murkowski
Bennett	Edwards	Murray
Biden	Ensign	Nelson (FL)
Bingaman	Enzi	Nelson (NE)
Bond	Feingold	Nickles
Boxer	Feinstein	Pryor
Breaux	Fitzgerald	Reed
Brownback	Frist	Reid
Bunning	Graham (SC)	Roberts
Burns	Grassley	Rockefeller
Byrd	Gregg	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Hatch	Schumer
Carper	Hollings	Sessions
Chafee	Hutchinson	Shelby
Chambliss	Inhofe	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Sununu
Cornyn	Kohl	Talent
Corzine	Kyl	Thomas
Craig	Landrieu	Voinovich
Crapo	Leahy	Warner
Daschle	Levin	Wyden
Dayton	Lieberman	

#### NOT VOTING—5

Graham FL	Lautenberg	Miller
Harkin	McConnell	

The resolution (S. Res. 45) was agreed to.

The preamble was agreed to.

The PRESIDING OFFICER. The majority leader.

#### MOMENT OF SILENCE

Mr. FRIST. Madam President, in response to the resolution, I ask unanimous consent that we have a moment of silence, here and in the Galleries as well, out of respect for the astronauts,

their families, and the much larger NASA community who are mourning as we speak. A moment of silence, please.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The Senate observed a moment of silence.)

Mr. FRIST. Thank you.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF BUSINESS

Mr. FRIST. Madam President, we will now be proceeding to the Estrada nomination. To my colleagues, I simply report that a little bit later in the day we will be announcing whether or not there will be further votes today. Later today, in our wrap-up, we will talk about the plans for tomorrow and on Monday, but I would suspect we will be in session tomorrow morning until approximately noon and that we will be in session on Monday.

It is important that we have the debate and discussion that will begin shortly on this particular nomination which is very important to this body and to the country. We anticipate a very good discussion as we go forward. It will be active and we want to give plenty of opportunity for both sides to be heard as we proceed to debate.

#### EXECUTIVE SESSION

#### NOMINATION OF MIGUEL A. ESTRADA, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and proceed to the consideration of Executive Calendar No. 21, which the clerk will report.

The assistant legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I am pleased that we have finally gotten to consider the nomination of Miguel Estrada to preside on the United States Court of Appeals for the District of Columbia Circuit, which has been pending before the Senate since May 9, 2001. I strongly support this nomination, and I hope we can vote on it soon. Also, I should say that I truly hope that news reports are inaccurate about efforts by my colleagues on the other side of the aisle to engage in a filibuster of this nominee in an effort to deny him a vote by the full Senate. To defeat this nominee in this manner would be unprecedented and a real shame for this body.

As many of us who are familiar with Mr. Estrada know, he represents a true

American success story. His story can make us all proud to be members of this country, make us proud of our country. Born in Tegucigalpa, Honduras, his parents divorced when he was only 4 years old. Mr. Estrada remained in Honduras with his father while his sister emigrated to the United States with his mother. Years later, as a teenager, Mr. Estrada joined his mother in the United States. Although he had taken English classes during school in Honduras, he actually spoke very little English when he immigrated. He nevertheless taught himself the language well enough to earn a B- in his first college English course. In a matter of years, he not only perfected his English skills, but he exceeded the achievements of many persons for whom English is their native tongue. He graduated magna cum laude and Phi Beta Kappa in 1983 from Columbia College, then magna cum laude in 1986 from Harvard Law School, where he was editor of the Harvard Law Review. Those are really difficult achievements.

Mr. Estrada's professional career has been marked by one success after another. He clerked for Second Circuit Judge Amalya Kearse a Carter appointee—then Supreme Court Justice Anthony Kennedy. He worked as an associate at the law firm of Wachtell Lipton in New York City, one of the great law firms of this country. He then worked as a Federal prosecutor in Manhattan, rising to become deputy chief of the appellate division. In recognition of his appellate skills, in spite of the fact that he has a speech handicap, he was hired by the Solicitor General's Office during the first Bush administration. He stayed with the Solicitor General's Office for most of the Clinton administration. When he left that Office, he joined the Washington, DC, office of Gibson, Dunn & Crutcher, where he has continued to excel as a partner. And everybody knows that the law firm of Gibson, Dunn & Crutcher is one of the great law firms of this country.

Most lawyers are held in high esteem if they have argued even one case before the Supreme Court. Mr. Estrada has argued 15 cases before the States Supreme Court. This is an impressive accomplishment by any standard, but it is particularly remarkable when you take two additional factors into consideration. First, as I have noted, English is not Mr. Estrada's native language. He has nevertheless mastered it to such a degree that he is considered to be one of the foremost appellate lawyers in our country. Second, his oral argument skills are even more extraordinary because, as I have mentioned, he has worked to overcome a speech impediment.

Despite this disability, Mr. Estrada has risen to the top of the ranks of oral advocates nationwide. People all over this country have admiration for him.

The legal bar's wide regard for Mr. Estrada is reflected in his evaluation